

Staff Summary Report



To: Mayor and City Council
Through: City Manager

Agenda Item Number _____
Meeting Date: 08/01/02

SUBJECT: WARNER CENTURY PLAZA #SHR-2002.51

PREPARED BY: DeeDee (D²) Kimbrell, Planner II (480-350-8331)

REVIEWED BY: Steve Venker, Planning & Zoning Manager (480-350-8331)

BRIEF: Request by Warner Century Plaza for a Horizontal Regime (condominium map) for thirty-seven (37) office units at 2135 East Warner Road.

COMMENTS: **PLANNED DEVELOPMENT (0406)** Request by **WARNER CENTURY PLAZA** (UTAZ Development Corp., Steven Beck, property owner) for a Horizontal Regime (condominium map) for thirty-seven (37) office units on 8.15 net acres, located at 2135 East Warner Road. The following is requested from the City of Tempe:

#SHR-2002.51 A Horizontal Regime (condominium map) for thirty-seven (37) office units on 8.15 net acres.

Document Name: 20020801devsrh02 **Supporting Documents:** Yes

SUMMARY: On May 30, 2002, City Council approved an Amended General and Final Plan of Development for Warner Century Plaza for twelve (12) single story medical and general office buildings consisting of 81,950 s.f. Now the applicant is requesting a Horizontal Regime (condominium map) with the intention to divide the twelve (12) buildings into thirty-seven (37) office units. The proposed Horizontal Regime appears to meet the minimum required standards of Subdivision Ordinance 99.21. Staff supports this request subject to conditions. This form of subdivision request does not require public input.

RECOMMENDATION: Staff - Approval
Public – Not required

- ATTACHMENTS:**
1. List of Attachments
 2. History & Facts / Description / Comments
 3. Reason(s) for Approval / Conditions of Approval
-
- A. Location Map
 - B. Horizontal Regime
 - C. Letter of Explanation/Intent

HISTORY & FACTS:

1978. City Council approved the rezoning of the subject site from AG to PCC-1.

June 8, 1982. City Council approved a General Plan of Development for Circle G Plaza.

October 26, 2000. City Council approved the request by Price Warner Corporate Center for an Amended General and Final Plan of Development for an 87,372 s.f. office building on 7.93 net acres.

October 11, 2001. City Council approved the request by Price Warner Corporate Center for a Final Subdivision Plat for 1 lot 8.0 net acres.

April 3, 2002. Design Review Board approved building elevation, site plan and landscape plan for Warner Century Plaza located at 2135 East Warner Road.

May 30, 2002. City Council approved the request by Warner Century Plaza for a 2nd Amended General and Final Plan of Development for twelve (12) medical and general office buildings totaling 81,950 s.f. on 8.15 net acres located at 2135 East Warner Road.

DESCRIPTION: Owner – UTAZ Development Corporation, Steven Beck
Applicant – UTAZ Development Corporation, Steven Beck
Engineer – HEC Engineering
Existing zoning – PCC-1
Total site area – 355,185 s.f. (8.15 net acres)
Lot Coverage – 23.3%
Parking required – 446
Parking provided – 447

COMMENTS: On May 30, 2002, City Council approved an Amended General and Final Plan of Development for Warner Century Plaza for twelve (12) single story medical and general office buildings consisting of 81,950 s.f. Now the applicant is requesting a Horizontal Regime (condominium map) with the intention to divide the twelve (12) buildings into thirty-seven (37) office units.

The Horizontal Regime (condo) does not change any physical aspects of the previously approved medical and general office buildings. It merely creates thirty-seven (37) new legal properties – the air space within each unit – that can be purchased by individual owners, who would typically own the buildings and land in common. The continuing care condition, covenant and restriction (CC&R's) which govern the procedures of the association and are required by the City whenever common area needs to be maintained according to an approved landscape plan will be reviewed by the City Attorney prior to recording of the plan.

The proposed Horizontal Regime appears to meet the minimum required standards of Subdivision Ordinance 99.21. Staff supports this request subject to conditions. This form of subdivision request does not require public input.

REASON(S) FOR

APPROVAL:

1. The Horizontal Regime appears to conform to current technical standards and requirements of the subdivision ordinance.

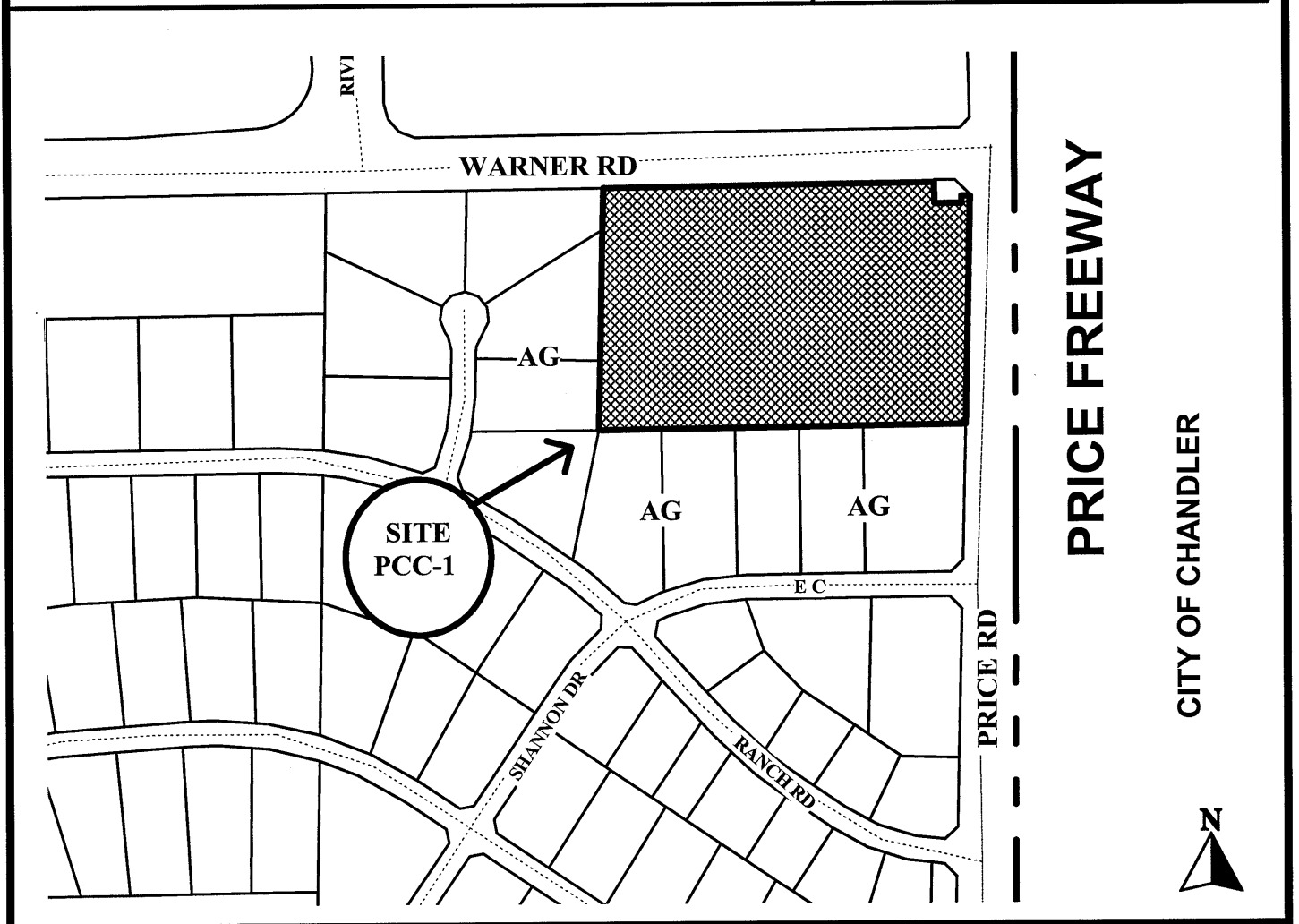
CONDITION(S)

OF APPROVAL:

1. The applicant/owner shall provide a continuing care condition, covenant and restriction (CC&R's) for the entire project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney and must take place prior to recordation of the condominium map.
2. No variance may be created by future property lines without the prior approval of the City of Tempe.
3. The Horizontal Regime shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department **on or before August 1, 2003**. Prior to recordation, the Planning Division within the Development Services Department shall review details of the document format.

WARNER CENTURY PLAZA

SHR-2002.51



Location Map



June 19, 2002

DeeDee Kimbrell
City of Tempe
31 East Fifth Street
Tempe, AZ 85281

Re: Letter of Explanation/Intent
Condominium plat for Warner Century Plaza

Dear Ms Kimbrell:

The attached submittal is the condominium application for the offices at Warner Century Plaza located at 2135 East Warner Road. The development has 12 office buildings that can be divided up into 37 units.

We appreciate your assistance with this submittal and look forward to having the City Council's approval at the earliest possible council hearing. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "St Beck". The signature is fluid and cursive, with the first letters of the first and last names being capitalized.

Steven Beck

SHR.2002.51

WARNER CENTURY PLAZA, A CONDOMINIUM

A CONDOMINIUM DEVELOPMENT OF A RESUBDIVISION OF LOT 1 OF "PRICE WARNER CORPORATE CENTER" ACCORDING TO BOOK 576 OF MAPS, PAGE 24, A RESUBDIVISION OF TRACT "A", CIRCLE G RANCHES 4 UNIT 3 AMENDED, ACCORDING TO BOOK 237 OF MAPS, PAGE 37

WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 24, T.1S., R.4E. OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION (prior to condominium)

Lot 1 of "Price Warner Corporate Center" according to Book 576 of Maps, Page 24, a resubdivision of Tract "A", Circle G Ranches 4 Unit 3 Amended, according to Book 237 of Maps, Page 37, located in a portion of the Northeast Quarter of Section 24, T.1S., R.4E. of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

BENCHMARK

Found benchmark is located at the corner of the lot, North 1/4 Corner, Section 24, BM = 1181.08 (City of Tempe datum)

BASIS OF BEARING

The Basis of Bearing is the North line of the Northeast Quarter of Section 24, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, bearing North 90 degrees 00 minutes 00 seconds East per Book 237 of Maps, Page 37 M.C.R.

FLOOD PLAIN STATEMENT

The property is located within an area having a Zone "X" Flood Hazard, as shown on the Flood Hazard Map of the Flood Insurance Rate Map No. D401C0001, Management Agency's Flood Insurance Rate Map No. D401C0001, in Maricopa County, Arizona, July 13, 2001 for Community #040004 in Maricopa County, Arizona.

PROJECT DATA

Project area is 8.0675 acres (351,202 sq. ft.)

NOTES

1. All portions of this condominium other than the units shall be common elements.
2. The condominium shall be subject to the condominium declaration for the Warner Century Owners Association, to be recorded following the recording of this plat.
3. This plat contains all of the information required to be set forth on a plat for a condominium.
4. The plat contains all of the information required to be set forth on a plat for a condominium, except by public agencies & utility companies shall be required to provide, streets, and road, wire or removable section type fencing.
5. Utility lines are to be constructed underground as required by the Arizona Corporation Commission General Order R(42)33.

DEVELOPER

WARNER CENTURY DEVELOPMENT, L.L.C.
2550 EAST BASILINE ROAD
SUITE 120
MESA, ARIZONA 85205
(480) 276-1400
CONTACT: J. STEVEN BECK

STATEMENT OF OWNERS

We have reviewed this plan and approved the development as shown. Signed this _____ day of _____, 2002.

By _____, as _____, Warner Century Development, L.L.C., an Arizona limited liability company

APPROVALS

Approved by the City of Tempe, City Council on this day _____ of _____, 2002.

By _____, Mayor,

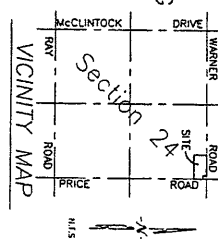
Attest: _____, City Clerk

By _____, City Engineer,

By _____, Planning Director,

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS



KNOW ALL MEN BY THESE PRESENTS: That Warner Century Development, L.L.C., an Arizona limited liability company, as owner, has submitted under the name of "Warner Century Plaza, A Condominium Development" a resubdivision of Lot 1 of "Price Warner Corporate Center" according to Book 576 of Maps, Page 24, a resubdivision of Tract "A", Circle G Ranches 4 Unit 3 Amended, according to Book 237 of Maps, Page 37, located in a portion of the Northeast Quarter of Section 24, T.1S., R.4E. of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, to the public, and hereby dedicates this plat as and for the plat of "Warner Century Plaza, A Condominium Development" to the public, and the owner, hereby dedicates the streets and streets containing same, and that each unit, tract, and street shall be known as shown on the plat of "Warner Century Plaza, A Condominium Development" and the owner, hereby dedicates the following:

1. Tract "X" shall be an easement for ingress and egress, for refuse and emergency vehicles, and public utilities and shall be mentioned by the "Warner Century Owners Association".
2. The owner, hereby dedicates the easement for public sewer and water and shall be mentioned by the "Warner Century Owners Association".
3. All portions of this Condominium site shall be "Common Elements" and (including unit buildings) and shall be mentioned by the "Warner Century Owners Association".

There has been or is being recorded herewith a Declaration of Covenants, Conditions, Restrictions and Easements for "Warner Century Plaza, A Condominium" which will govern the use and maintenance of all areas shown on this plat.

In Witness Whereof, Warner Century Development, L.L.C., an Arizona limited liability company, by _____, its President, has caused this plat to be signed and the same to be attested by the signature of Craig Whitt, its President, herewith duly attested, this _____ day of _____, 2002.

Warner Century Development, L.L.C., an Arizona limited liability company, its Managing Member _____, by _____, its President, has caused this plat to be signed and the same to be attested by the signature of Craig Whitt, its President, herewith duly attested, this _____ day of _____, 2002.

By _____, Craig Whitt, President

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

Before me this the _____ day of _____, 2002, Craig Whitt, personally appeared before me, the undersigned Notary Public, who acknowledged himself to be _____, President of Warner Century Development, L.L.C., an Arizona limited liability company, its Managing Member of Warner Century Development, L.L.C., an Arizona limited liability company, as shown on the plat of "Warner Century Plaza, A Condominium" and acknowledged that Craig Whitt, as herein conferred, duly authorized to do so, executed this instrument for the purposes herein conferred.

In witness whereof, I hereunto set my hand and official seal.

By _____, Notary Public, my commission expires: _____

CERTIFICATION

I, Dean R. Grouse, hereby certify that I am a Registered Land Surveyor in the State of Arizona, and that this map or plat consisting of 4 sheets represents a survey referred to in the title of this map or plat, and that the survey is correct and accurate to the best of my knowledge and belief, that the boundary monuments, control points and other data shown on the map or plat are correct and will be sufficient to enable the survey to be retraced.

By _____, Dean R. Grouse, RLS#25070
M.C. Engineering, L.L.C.
1100 E. McDowell Ave.
Suite 218
Mesa, Arizona 85205

JUL 0 9 2002
SHR.2002.51

1 OF 4

A FINAL PLAT OF

PROJECT: WARNER CENTURY PLAZA, A CONDOMINIUM
TEMPE, ARIZONA



M.C. Engineering, L.L.C.
2550 EAST BASILINE ROAD
SUITE 120
MESA, ARIZONA 85205
PHONE (480) 218-8231
FAX (480) 830-4885

3740 E. SOUTHERN AVE.
SUITE 218
MESA, ARIZONA 85205
PHONE (480) 218-8231
FAX (480) 830-4885



7-02-02 CITY/CLIENT COMMENTS

JUL 0 9 2002

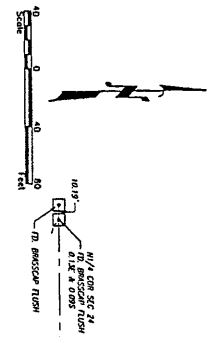
PP01

1 OF 4



SHEET NO. 2 OF 4	FPO2	JOB NO. 57425	DATE 5/05/FPO2		A FINAL PLAT OF		 HFC Engineering, L.L.C. Civil, Mechanical & Land Planning & Surveying	3740 E. SOUTHERN AVE SUITE 218 MESA, ARIZONA 85208 PHONE (480) 218-5831 FAX (480) 810-4888	REVISIONS
					PROJECT: WARNER CENTURY PLAZA, A CONDOMINIUM TEMPE, ARIZONA	 7-02-02 CITY/CLIENT COMMENTS			

WARNER CENTURY PLAZA, A CONDOMINIUM



* NOTE
All building dimensions are from interior wall surfaces to a perpendicular point on the property line.

SITE DATA

Bldg	UNIT	FLOOR	ELEVATION OF FINISH
Bldg A	UNIT 128	1200.5	1187.4
Bldg B	UNIT 129	1200.5	1187.4
Bldg C	UNIT 130	1200.5	1187.4
Bldg D	UNIT 131	1200.5	1187.4
Bldg E	UNIT 132	1200.5	1187.4
Bldg F	UNIT 133	1200.5	1187.4
Bldg G-115	UNIT 1205 / 1206.9	1200.5	1187.4
Bldg G-116	UNIT 1205	1200.5	1187.4
Bldg G-117	UNIT 1205	1200.5	1187.4
Bldg G-118	UNIT 1205 / 1204.3	1200.5	1187.4
Bldg G-119	UNIT 1205 / 1204.3	1200.5	1187.4
Bldg G-120	UNIT 1205	1200.5	1187.4
Bldg G-121	UNIT 1205	1200.5	1187.4
Bldg G-122	UNIT 1205 / 1206.9	1200.5	1187.4
Bldg H	UNIT 1205	1200.5	1187.4
Bldg I	UNIT 1205	1200.5	1187.4
Bldg J	UNIT 1205	1200.5	1187.4
Bldg K	UNIT 1205	1200.5	1187.4
Bldg L	UNIT 1205	1200.5	1187.4

Note: Stakes 115, 116, 119, and 122 have differing ceiling elevations. See typical Building Dimensions (this sheet) for location of ceiling height changes.

SITE AREAS

COMMON AREA	271,756.51
UNIT AREA	1,823.90
TOTAL	351,205.51

LEGEND

- ADJACENT LINE
- PROPERTY LINE (THIS PROPERTY)
- PROPERTY LINE (OTHER PROPERTIES)
- BRASS CURB IN INTERLOCK
- CORNER OF SUBGRADE (1/2" RISE TO BE SHOWN)
- CURB, SIDEWALK, DRIVE
- CURB, CONTROLLED VEHICLE ACCESS DRIVEWAY
- DRIVE, SIDEWALK
- RECREATION EXPOSURE
- IE, RECREATION EXPOSURE
- IE, RECREATION EXPOSURE
- PAVE, RECREATION EXPOSURE

TYPICAL UNIT DIMENSIONS

Not to Scale
VERTICAL UNIT DIMENSIONS ARE TO INSIDE FINISHED WALL SURFACE AND TO CENTERLINE OF PROPOSED UNIT WALL SEPARATION.

